

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
CIVIL TRIAL MINUTES**

MAGISTRATE JUDGE JOSEPH C. SPERO COURTROOM DEPUTY: Karen Hom

DATE: March 22, 2013 COURT REPORTER: Kathy Sullivan & Debra Pas

CASE NO.: 3:10-cv-0475 JCS

CASE NAME: TV Interactive Data v. Sony Corp.

TRIAL BEGAN: 03/11/13

TIME: 10:50-12:20 (1 H 40 M)

COUNSEL FOR PLAINTIFF:

**Richard Martinez, Patrick Arenz,
Sarah Hudleston,**

COUNSEL FOR DEFENDANT:

**Greg Gewirtz, Charles Kennedy,
Jon David, Natalie Richer & Orville
Cockings**

PROCEEDINGS: **Jury Instruction Conference - Held.**

All counsel present. Jury not present. Discussion held on proposed jury instructions and verdict form. Sony withdraws invalidity on written description as to question no. 7 on the verdict form. Verdict will not be filed under seal. Discussion held on Jury Instructions 15, 17, 11, 14, 18, 19, 20, 21, 24, 27. Jury Instruction 17, 22 will be eliminated. Discussion held on Microsoft lawsuit. Discussion held regarding bench trial phase. Parties should stipulate to exhibits and deposition designations.

TRIAL MOTIONS HEARD:

1. Sony's Objections to TVI's Exhibits for Potential
Rebuttal Testimony of Redford [dkt no. 764]

RULING

Withdrawn/Needs
Further ruling

ORDERED AFTER HEARING: In closing no party may make mention of financial condition of TVI. Parties stipulated that counsel may speak to Mr. Redford on CDTV and 3DO occurring when TVI first sued Sony. No other issues may be discussed until after Mon., 3/25/13. Plaintiff can argue at closing that Microsoft was sued based on Windows '95 and that the four witnesses were Microsoft employees who worked on Windows '95 and the depositions that were read were taken in that lawsuit. No party will state or imply anything about who is the Plaintiff in the Microsoft lawsuit.

Sony will withdraw FRE 802 objections as to TX212, 553 and 668. TVI will withdraw FRE802 objection to TX1186. TVI will advise Court on Monday, 3/25/13 as to TX654 and 657.